



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

September 21, 2005

CERTIFIED RETURN RECEIPT
7002 0510 0003 8603 3127

Gary Burningham
Burningham Enterprises
95 North 200 East
P.O. Box 974
American Fork, Utah 84003

Subject: Modification of Cessation Order, Burningham Enterprises, Mammoth Ridge 1, S/017/048, Kane County, Utah

Dear Mr. Burningham:

On August 17, 2005, the Division issued a Cessation Order (CO) for your Mammoth Ridge 1 Quarry located in Kane County, Utah. A required action stipulated in the Order was that Burningham Enterprises obtain a SITLA lease for the area impacted by your quarry or begin to reclaim the site immediately.

To date SITLA has not been contacted concerning a lease for this new area. The Division has not received notification that you had selected the option to reclaim the site. In order to abate the CO it is necessary for you to complete one of these options.

Due to the lack of action on your part in responding to the CO, the Division is placing a 30-day deadline for the completion of the obligations. Failure to complete the abatement in a timely manner will result in the issuance of a Failure to Abate Cessation Order (FTACO) which will result in the assessment of a fine of \$750/day. The Cessation Order has been modified (attached) to add an abatement date of October 21, 2005. If you have not completed your obligations by October 21, 2005, a FTACO will be issued and the associated fine administrated.

If you have any questions concerning this letter, please contact me at (801) 538-5325 or Doug Jensen at (801) 538-5382.

Sincerely,

Daron Haddock
Permit Supervisor
Minerals Regulatory Division

DRH:dj:jb

cc: John Blake, SITLA



JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

Page 1 of 1

MODIFICATION of
Notice of Violation / Cessation Order

To the following Permittee or Operator:

Name: Burningham Enterprises/ Gary Burningham

Mailing Address: 95 North 200 East P.O. Box 974 American Fork, Utah 84003

Mine Name: Mammoth Ridge 1 Permit Number: S/017/048

Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., *Utah Code Annotated (1953)*:

Notice of Violation No. _____ dated _____, 20 ____

Cessation Order No: MC-05-02-01(1) dated August 17, 2005

Part 1 of 1 is modified as follows: A deadline of October 21, 2005 is added for the competition of the required actions of the CO issued August 17, 2005.

Reason for modification is: Inaction on the part of the operator to complete the obligations of the CO. The original CO did not have an abatement deadline.

Date of service/mailling: September 21, 2005

Time of service/mailling 10:30 a.m.

Permittee or Operator Representative

Title

Signature

Doug Jensen

Division of Oil, Gas & Mining Representative

Senior Reclamation Specialist

Title

Doug Jensen
Signature

O:\M017-Garfield\S0170048-MammothRidge1\non-compliance\09212005COmodify.doc